

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2007 Legislative Session

**Legislative Day No. 6
May 7, 2007**

HOWARD COUNTY TO WIT:

The Chairman called the session to order at 7:30 p.m.

Calvin Ball, Chairperson; Courtney Watson, Vice Chairperson; Greg Fox, Council Member; Mary Kay Sigaty, Council Member; and Jennifer Terrasa, Council Member, were present.

Sheila Tolliver; Administrator to the County Council; Haskell Arnold, County Auditor; Jim Vannoy, Office of Law; and Jennifer Sager, Legislative Coordinator, were also present.

APPROVE JOURNAL

The Chairperson moved to adopt the journal for Legislative Day No. 5, April 4, 2007. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson to approve the journal was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson

The motion to approve the journal passed.

APPROVE MINUTES

The Chairperson moved to approve the minutes of the following meetings:

Legislative Public Hearing – April 16, 2007
Capital Budget Public Hearing – April 19, 2007
Legislative Work Session – April 23, 2007
Capital Budget Work Session #1 – April 24, 2007
Council/Board of Education Meeting – April 25, 2007
Capital Budget Work Session #2 – April 26, 2007
Community College & Operating Budget Public Hearings – April 26, 2007

His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson

The motion to approve the minutes passed. (See attachments.)

INTRODUCTION OF LEGISLATION

The following legislation is introduced by the Chairperson at the request of the County Executive unless otherwise noted:

Appointments

Council Resolution No. 45-2007 – Confirming the appointment of Mildred J. Greenwood to the Commission on Aging

A RESOLUTION confirming the appointment of Mildred J. Greenwood to the Commission on Aging.

Council Resolution No. 46-2007 – Confirming the appointment of George W. Hunter, Jr. to the Commission on Aging

A RESOLUTION confirming the appointment of George W. Hunter, Jr. to the Commission on Aging.

Council Resolution No. 47-2007 – Confirming the appointment of Christopher Myers to the Board of Directors of the Economic Development Authority

A RESOLUTION confirming the appointment of Christopher Myers to the Board of Directors of the Economic Development Authority.

Council Resolution No. 48-2007 – Confirming the appointment of Steven E. Shane to the Commission on Aging

A RESOLUTION confirming the appointment of Steven E. Shane to the Commission on Aging.

Council Resolution No. 49-2007 – Confirming the appointment of Saba S. Sheikh, M.D., F.A.C.P. to the Commission on Aging

A RESOLUTION confirming the appointment of Saba S. Sheikh, M.D., F.A.C.P. to the Commission on Aging.

Council Resolution No. 50-2007 – Confirming the appointment of Sang Kyun Shin, M.D. to the Commission on Aging

A RESOLUTION confirming the appointment of Sang Kyun Shin, M.D. to the Commission on Aging.

Council Resolution No. 51-2007 – Approving a list of Howard County residents to be sent to the Governor, in accordance with State law, so that the Governor may choose one of the residents from the list to fill a vacancy on the Property Tax Assessment Appeal Board

A RESOLUTION approving a list of Howard County residents to be sent to the Governor, in accordance with State law, so that the Governor may choose one of the residents from the list to fill a vacancy on the Property Tax Assessment Appeal Board.

Council Resolution No. 52-2007 – Approving a list of Howard County residents to be sent to the Governor, in accordance with State law, so that the Governor may choose one of the residents from the list to fill a vacancy on the Property Tax Assessment Appeal Board

A RESOLUTION approving a list of Howard County residents to be sent to the Governor, in accordance with State law, so that the Governor may choose one of the residents from the list to fill a vacancy on the Property Tax Assessment Appeal Board.

Council Resolution No. 53-2007 – Approving a list of Howard County residents to be sent to the Governor, in accordance with State law, so that the Governor may choose one of the residents from the list to fill a vacancy on the Property Tax Assessment Appeal Board

A RESOLUTION approving a list of Howard County residents to be sent to the Governor, in accordance with State law, so that the Governor may choose one of the residents from the list to fill a vacancy on the Property Tax Assessment Appeal Board.

Council Resolution No. 54-2007 – Confirming the reappointment of Tammy J. CitaraManis to the Planning Board

A RESOLUTION confirming the reappointment of Tammy J. CitaraManis to the Planning Board.

Council Resolution No. 55-2007 – Confirming the reappointment of Allen Cornell to the Board of Directors of the Economic Authority

A RESOLUTION confirming the reappointment of Allen Cornell to the Board of Directors of the Economic Authority.

Council Resolution No. 56-2007 – Confirming the reappointment of Michael T. Galeone to the Board of Directors of the Economic Development Authority

A RESOLUTION confirming the reappointment of Michael T. Galeone to the Board of Directors of the Economic Development Authority.

Council Resolution No. 57-2007 – Confirming the reappointment of Peter J. Rogers, Jr. to the Board of Directors of the Economic Development Authority

A RESOLUTION confirming the reappointment of Peter J. Rogers, Jr. to the Board of Directors of the Economic Development Authority.

Council Resolution No. 58-2007 – Confirming the reappointment of Rena L. Shooman to the Howard County Animal Matters Hearing Board

A RESOLUTION confirming the reappointment of Rena L. Shooman to the Howard County Animal Matters Hearing Board.

Council Resolution No. 59-2007 – Confirming the reappointment of Darryl A. Stokes to the Public Works Board

A RESOLUTION confirming the reappointment of Darryl A. Stokes to the Public Works Board.

Financial

Council Resolution No 60-2007 – Approving certain transfers between major categories of the Howard County Board of Education Operating Budget for Fiscal Year 2007; transferring a total of \$2,320,000; \$275,000 to the Fixed Charges category, \$660,000 to the Mid-Level Administration category and \$1,385,000 to the Operation of Plant category, from the Instruction-Salaries, Community Services, Capital Outlay, Pupil Personnel and Maintenance of Plant categories

A RESOLUTION approving certain transfers between major categories of the Howard County Board of Education Operating Budget for Fiscal Year 2007; transferring a total of \$2,320,000; \$275,000 to the Fixed Charges category, \$660,000 to the Mid-Level Administration category and \$1,385,000 to the Operation of Plant category, from the Instruction-Salaries, Community Services, Capital Outlay, Pupil Personnel and Maintenance of Plant categories.

Council Resolution No. 43-2007 - Adopted pursuant to the Maryland Economic Development Revenue Bond Act providing for the issuance and sale by Howard County, Maryland, of up to \$500,000 of its limited obligation bonds and the loan of the proceeds thereof to Soccer Association of Columbia, Inc. to be used to finance costs of acquiring, constructing and equipping a synthetic turf field at Covenant Park in Ellicott City in the County, and costs of issuance and other related costs; reserving certain rights; providing for the issuance and sale of bond anticipation notes for such purpose

A RESOLUTION adopted pursuant to the Maryland Economic Development Revenue Bond Act providing for the issuance and sale by Howard County, Maryland, of up to \$500,000 of its limited obligation bonds and the loan of the proceeds thereof to Soccer Association of Columbia, Inc. to be used to finance costs of acquiring, constructing and equipping a synthetic turf field at Covenant Park in Ellicott City in the County, and costs of issuance and other related costs; reserving certain rights; providing for the issuance and sale of bond anticipation notes for such purposes; authorizing the County Executive to specify, prescribe, determine, provide for or approve certain matters, details, documents or procedures; and specifying and describing various matters in connection therewith.

General

Council Bill No. 28-2007 – Introduced by Greg Fox - To modify the criteria for setting fire tax rates and generally relating to fire taxes

AN ACT to modify the criteria for setting fire tax rates and generally relating to fire taxes.

Council Bill No. 29-2007 (ZRA-77) – Introduced by the Chair at the request of Charles Feaga – Amending the Howard County Zoning Regulations to establish a new Conditional Use in the RC and RR zoning districts called Age Restricted Adult Housing, Accessory Structure; and generally relating to Age Restricted Adult Housing, Accessory Structures

An Act amending the Howard County Zoning Regulations to establish a new Conditional Use in the RC and RR zoning districts called Age Restricted Adult Housing, Accessory Structure; and generally relating to Age Restricted Adult Housing, Accessory Structures.

Council Bill No. 30-2007 (ZRA-80) – Introduced by Courtney Watson - Amending the Howard County Zoning Regulations to require that pre-submission community meetings required for Conditional Use petitions be held in public or institutional buildings within a five mile radius of the subject property and allow citizens to request a meeting with a staff member of the Department of Planning and Zoning after the petition has been submitted to the Department of Planning and Zoning

An Act amending the Howard County Zoning Regulations to require that pre-submission community meetings required for Conditional Use petitions be held in public or institutional buildings within a five mile radius of the subject property and allow citizens to request a meeting with a staff member of the Department of Planning and Zoning after the petition has been submitted to the Department of Planning and Zoning; and generally relating to pre-submission community meetings.

Council Bill No. 31-2007 – Introduced by Courtney Watson - Amending the Howard County Code to require that pre-submission community meetings required for Zoning Board petitions be held in public or institutional buildings within a five mile radius of the subject property and allow citizens to request a meeting with a staff member of the department of Planning and Zoning after the petition has been submitted to the Department of Planning and Zoning

An Act amending the Howard County Code to require that pre-submission community meetings required for Zoning Board petitions be held in public or institutional buildings within a five mile radius of the subject property and allow citizens to request a meeting with a staff member of the department of Planning and Zoning after the petition has been submitted to the Department of Planning and Zoning; and generally relating to pre-submission community meetings.

Council Bill No. 26-2007 – Requiring that certain water and sewer connections be made by a licensed on-site utility contractor; requiring certain sureties; clarifying the requirements for mandatory connections; amending certain definitions; amending the basis for certain water and sewer connection charges; making certain technical corrections

AN ACT requiring that certain water and sewer connections be made by a licensed on-site utility contractor; requiring certain sureties; clarifying the requirements for mandatory connections; amending certain definitions; amending the basis for certain water and sewer connection charges; making certain technical corrections; and generally relating to water and sewer connections and charges in Howard County.

Council Bill No. 27-2007 – Allowing for the use of a reclaimed water system, including a procedure for providing reclaimed water service; authorizing the adoption of standards and specifications for a reclaimed water system; authorizing the County to enter into certain agreements in connection with reclaimed water systems; prohibiting certain acts in regard to the reclaimed water system; adding certain definitions; authorizing a reclaimed water charge; providing a basis for the reclaimed water charge; authorizing certain connection charges; making certain technical corrections; providing for a penalty for late payment of reclaimed water charges

AN ACT allowing for the use of a reclaimed water system, including a procedure for providing reclaimed water service; authorizing the adoption of standards and specifications for a reclaimed water system; authorizing the County to enter into certain agreements in connection with reclaimed water systems; prohibiting certain acts in regard to the reclaimed water system; adding certain definitions; authorizing a reclaimed water charge; providing a basis for the reclaimed water charge; authorizing certain connection charges; making certain technical corrections; providing for a penalty for late payment of reclaimed water charges; and generally relating to reclaimed water systems in Howard County.

Council Bill No. 32-2007 – By Chair at the request of the County Executive/Co-sponsored by Calvin Ball - Establishing a property tax credit for certain owner-occupied residential real property that is jointly owned by an individual and the Howard County Housing Commission; establishing the terms, conditions, and duration of the credit; providing for an application procedure and administration of the credit

AN ACT establishing a property tax credit for certain owner-occupied residential real property that is jointly owned by an individual and the Howard County Housing Commission; establishing the terms, conditions, and duration of the credit; providing for an application procedure and administration of the credit; and generally relating to property tax credits.

Council Bill No. 33-2007 – Adding certain positions to the list of executive exempt positions in the Howard County Code; adding a special projects category for contingent employees, changing the name of the Office of Employment and Training to be the Office of Workforce Development; providing for the application of this Act

AN ACT adding certain positions to the list of executive exempt positions in the Howard County Code; adding a special projects category for contingent employees, changing the name of the Office of Employment and Training to be the Office of Workforce Development; providing for the application of this Act; and generally relating to human resources provisions in the Howard County Code.

Council Bill No. 34-2007 – Amending the Classification Plan for Howard County by adding the position of Chief of Staff and Executive Assistant II; adding descriptions for the new positions; amending the class description for certain executive exempt, administrative, legal services and police services support, planning and zoning, engineering, operations, recreation services, and human services manager positions; removing certain class descriptions; amending the minimum experience for certain fire employees; adding a description for Park Ranger and Dispatcher First Class; amending the description for Parks Maintenance Specialist; providing for the application of this Act

AN ACT amending the Classification Plan for Howard County by adding the position of Chief of Staff and Executive Assistant II; adding descriptions for the new positions; amending the class description for certain executive exempt, administrative, legal services and police services support, planning and zoning, engineering, operations, recreation services, and human services manager positions; removing certain class descriptions; amending the minimum experience for certain fire employees; adding a description for Park Ranger and Dispatcher First Class; amending the description for Parks Maintenance Specialist; providing for the application of this Act; and generally relating to amendments to the Howard County Classification Plan.

Council Resolution No. 61-2007 – Approving the terms and conditions of a First Amendment to the Payment in Lieu of Taxes Agreement by and between ODC Crossing Limited Partnership and Howard County, Maryland for a multi-family rental housing project known as Orchard Crossing Apartments

A RESOLUTION approving the terms and conditions of a First Amendment to the Payment in Lieu of Taxes Agreement by and between ODC Crossing Limited Partnership and Howard County, Maryland for a multi-family rental housing project known as Orchard Crossing Apartments.

Budget

Council Bill No. 20-2007 – To authorize and empower Howard County, Maryland, to borrow up to \$121,192,678 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County capital projects (including bridge projects, general county projects, storm drainage projects, school system projects, fire and rescue projects, a road resurfacing project, road construction projects, roadside and sidewalks projects, library projects, community college projects, parks and recreation projects, intersection improvements projects and a community renewal project), which are specified and described in the County's 2008 Capital Budget (including, without limitation, borrowings for certain capital projects previously authorized in calendar year 2003), and to pay costs of issuance of such bonds

AN ACT to authorize and empower Howard County, Maryland, to borrow up to \$121,192,678 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County capital projects (including bridge projects, general county projects, storm drainage projects, school system projects, fire and rescue projects, a road resurfacing project, road construction projects, roadside and sidewalks projects, library projects, community college projects, parks and recreation projects, intersection improvements projects and a community renewal project), which are specified and described in the County's 2008 Capital Budget (including, without limitation, borrowings for certain capital projects previously authorized in calendar year 2003), and to pay costs of issuance of such bonds; authorizing the County to issue bond anticipation notes or to enter into installment purchase agreements for payment of portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Council Bill No. 21-2007 – To authorize and empower Howard County, Maryland, to borrow up to \$13,000,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of Capital Project No. E-0980 (Systemic Renovations), as more particularly described in the County's 2008 Capital Budget, and to pay costs of issuance of such bonds

AN ACT to authorize and empower Howard County, Maryland, to borrow up to \$13,000,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of Capital Project No. E-0980 (Systemic Renovations), as more particularly described in the County's 2008 Capital Budget, and to pay costs of issuance of such bonds; authorizing and empowering the County to issue bond anticipation notes or to enter into installment purchase agreements for payment of portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with school facilities surcharges and other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Council Bill No. 22-2007 –To authorize and empower Howard County, Maryland, to borrow up to \$35,042,022 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County bridge, road construction and intersection improvements capital projects specified and described in the County's 2008 Capital Budget (including, without limitation, borrowings for certain of such capital projects previously authorized in 2003) and to pay costs of issuance of such bonds

AN ACT to authorize and empower Howard County, Maryland, to borrow up to \$35,042,022 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County bridge, road construction and intersection improvements capital projects specified and described in the County's 2008 Capital Budget (including, without limitation, borrowings for certain of such capital projects previously authorized in 2003) and to pay costs of issuance of such bonds; authorizing and empowering the County to issue bond anticipation notes

or to enter into installment purchase agreements for payment of portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with building excise taxes and other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Council Bill No. 23-2007 – To authorize and empower Howard County, Maryland, to borrow up to \$43,428,243 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County water and sewer capital projects, as described in the County's 2008 Capital Budget (including, without limitation, borrowings for certain water and sewer projects previously authorized in 2002 and 2003), and to pay costs of issuance of such bonds

AN ACT to authorize and empower Howard County, Maryland, to borrow up to \$43,428,243 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County water and sewer capital projects, as described in the County's 2008 Capital Budget (including, without limitation, borrowings for certain water and sewer projects previously authorized in 2002 and 2003), and to pay costs of issuance of such bonds; authorizing and empowering the County to issue bond anticipation notes or to enter into installment purchase agreements to pay portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with benefit assessments, ad valorem taxes levied upon the assessable property in the Metropolitan District and other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Council Bill No. 24-2007 – To authorize and empower Howard County, Maryland to borrow, on its full faith and credit, up to \$52,330,000 from the Maryland Water Quality Financing Administration (the "Administration"), and to issue and sell its installment bonds to the Administration, the proceeds thereof to be used to pay costs of certain County sewer capital projects, as described in the County's 2008 Capital Budget, and to pay all related costs; and to levy taxes upon the assessable property within the County sufficient, together with benefit assessments, ad valorem taxes levied upon assessable property in the Metropolitan District and other available funds, to pay the debt service on such bonds; authorizing the County to enter into one or more Loan Agreements with the Administration to effect and further evidence such borrowing; and making certain findings and determinations

AN ACT to authorize and empower Howard County, Maryland to borrow, on its full faith and credit, up to \$52,330,000 from the Maryland Water Quality Financing Administration (the "Administration"), and to issue and sell its installment bonds to the Administration, the proceeds thereof to be used to pay costs of certain County sewer capital projects, as described in the County's 2008 Capital Budget, and to pay all related costs; and to levy taxes upon the assessable property within the County sufficient, together with benefit assessments, ad valorem taxes levied upon assessable property in the Metropolitan District and other available funds, to pay the debt service on such bonds; authorizing the County to enter into one or more Loan Agreements with the Administration to effect and further evidence such borrowing; and making certain findings and determinations.

Council Bill No. 25-2007 – Adopting the current expense budget and the capital budget for the fiscal year beginning July 1, 2007 and ending June 30, 2008, to be known as the Annual Budget and Appropriation Ordinance of Howard County, Fiscal 2008

AN ACT adopting the current expense budget and the capital budget for the fiscal year beginning July 1, 2007 and ending June 30, 2008, to be known as the Annual Budget and Appropriation Ordinance of Howard County, Fiscal 2008.

Council Bill No. 35-2007 – Amending the Pay Plan for Howard County; establishing pay rates for certain employees; providing for the application of this Act

AN ACT amending the Pay Plan for Howard County; establishing pay rates for certain employees; providing for the application of this Act; and generally relating to the Pay Plan for Howard County.

Council Resolution No. 44-2007 - Approving the Capital Program for Howard County for Fiscal Years 2009 through 2013 and the Extended Capital Program for Fiscal Years 2014 through 2017

A RESOLUTION confirming the appointment of Mildred J. Greenwood to the Commission on Aging.

Council Resolution No. 62-2007 – Approving the Fiscal Year 2008 budget for the Howard Community College and indicating appropriations for major functional categories

A RESOLUTION approving the Fiscal Year 2008 budget for the Howard Community College and indicating appropriations for major functional categories.

Council Resolution No. 63-2007 – Approving the Fiscal Year 2008 budget for the Department of Libraries and indicating appropriations for object classes

A RESOLUTION approving the Fiscal Year 2008 budget for the Department of Libraries and indicating appropriations for object classes.

Council Resolution No. 64-2007 – Setting forth the Fiscal Year 2008 Operating Budget for the Howard County Board of Education

A RESOLUTION setting forth the Fiscal Year 2008 Operating Budget for the Howard County Board of Education.

Council Resolution No. 65-2007 – Approving schedules for charges pertaining to the Metropolitan District and to water and sewer service

A RESOLUTION approving schedules for charges pertaining to the Metropolitan District and to water and sewer service.

Council Resolution No. 66-2007 – Approving schedules of fees for the functions regulated by the Department of Public Works

A RESOLUTION approving schedules of fees for the functions regulated by the Department of Public Works.

Council Resolution No. 67-2007 – Approving schedules of fees, fines and charges for functions regulated by the Howard County Department of Inspections, Licenses and Permits

A RESOLUTION approving schedules of fees, fines and charges for functions regulated by the Howard County Department of Inspections, Licenses and Permits.

Council Resolution No. 68-2007 – Approving schedules of fees and charges for functions regulated by the Department of Planning and Zoning

A RESOLUTION approving schedules of fees and charges for functions regulated by the Department of Planning and Zoning.

Council Resolution No. 69-2007 – Adopting a schedule of fees for functions regulated by the Department of Finance, including a schedule of fees for parking meter rates

A RESOLUTION adopting a schedule of fees for functions regulated by the Department of Finance, including a schedule of fees for parking meter rates.

Council Resolution No. 70-2007 – Approving schedules of fees for functions regulated by the Department of Police

A RESOLUTION approving schedules of fees for functions regulated by the Department of Police.

Council Resolution No. 71-2007 – Approving schedules of fees for functions regulated by the Health Department

A RESOLUTION approving schedules of fees for functions regulated by the Health Department.

Council Resolution No. 72-2007 – Approving fee schedules for:

- (1) Applying for approval of an industrial development revenue bond or MIDFA bond or loan;
- (2) Solicitor and Peddler Identification Card;
- (3) Weekend Prisoners - Room and board;
- (4) Prisoner - Health care provider fee;
- (5) Participation in work release program;
- (6) Participation in home detention program;
- (7) Marriage license fee charge for funding of domestic violence programs;

- (8) Annual registration of trespass towing companies and maximum rates to be charged by trespass towing services;
- (9) Fee and specifications for transcripts of administrative proceedings; and
- (10) Reproduction of public records

A RESOLUTION approving fee schedules for:

- (1) Applying for approval of an industrial development revenue bond or MIDFA bond or loan;
- (2) Solicitor and Peddler Identification Card;
- (3) Weekend Prisoners - Room and board;
- (4) Prisoner - Health care provider fee;
- (5) Participation in work release program;
- (6) Participation in home detention program;
- (7) Marriage license fee charge for funding of domestic violence programs;
- (8) Annual registration of trespass towing companies and maximum rates to be charged by trespass towing services;
- (9) Fee and specifications for transcripts of administrative proceedings; and
- (10) Reproduction of public records.

Council Resolution No. 73-2007 – Approving schedules of fines and penalties for violations of and administrative costs related to enforcement of Howard County’s parking laws, including administrative handling fees for parking citations and citations under the automated red light enforcement program

A RESOLUTION approving schedules of fines and penalties for violations of and administrative costs related to enforcement of Howard County’s parking laws, including administrative handling fees for parking citations and citations under the automated red light enforcement program.

Council Resolution No. 74-2007 – Levying a tax on certain admissions and amusements, establishing classes of admissions and amusements, setting tax rates on different classes, and providing for certain exemptions from the tax

A RESOLUTION levying a tax on certain admissions and amusements, establishing classes of admissions and amusements, setting tax rates on different classes, and providing for certain exemptions from the tax.

Council Resolution No. 75-2007 – Imposing a recordation tax on instruments of writing that convey title to or create or give notice of a security interest in real property, or that create or give notice of a security interest in personal property, and that are recorded with the Clerk of the Circuit Court

A RESOLUTION imposing a recordation tax on instruments of writing that convey title to or create or give notice of a security interest in real property, or that create or give notice of a security interest in personal property, and that are recorded with the Clerk of the Circuit Court.

Council Resolution No. 76-2007 – Adopting the schedule of rates for the Building Excise Tax

A RESOLUTION adopting the schedule of rates for the Building Excise Tax.

Council Resolution No. 77-2007 – Levying Fire and Rescue tax rates beginning July 1, 2007

A RESOLUTION levying Fire and Rescue tax rates beginning July 1, 2007.

Council Resolution No. 78-2007 - Levying a property tax for the fiscal year beginning July 1, 2007 and ending June 30, 2008; setting the tax rates for property; and providing for the collection of the property tax

Council Resolution No. 79-2007 – Introduced by the Chair – Calling the County Council into legislative session on May 23, 2007

RESOLUTION calling the County Council of Howard County, Maryland into legislative session on May 23, 2007.

FINAL CONSIDERATION

The Chairperson moved to adopt the following legislation:

Consent

Council Resolution No. 27-2007 – Confirming the appointment of Gloria Berthold to the Public Transportation Board

Council Resolution No. 28-2007 – Confirming the appointment of Lynn Parlett Moore to the State Agricultural Preservation Advisory Board and to the Howard County Agricultural Land Preservation Board

Council Resolution No. 29-2007 – Confirming the reappointment of Lisa Cooper-Lucas to the Board of Directors of the Howard County Mental Health Authority

Council Resolution No. 30-2007 – Confirming the reappointment of Joseph F. Friend to the Board of Directors of the Howard County Mental Health Authority

Council Resolution No. 31-2007 – Confirming the reappointment of Leola Howard to the Board of Directors of the Howard County Mental Health Authority

Council Resolution No. 33-2007 - Confirming the reappointment of John J. Lah to the Board of Directors of the Howard County Mental Health Authority

Council Resolution No. 34-2007 – Confirming the reappointment of Jean Silver-Isenstadt, M.D., Ph. D. to the Board of Directors of the Howard County Mental Health Authority

Council Resolution No. 79-2007 – Introduced by the Chair – Calling the County Council into legislative session on May 23, 2007

His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the consent items was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson

Council Resolutions No. 27-2007, No. 28-2007, No. 29-2007, No. 30-2007, No. 31-2007, No. 33-2007, No. 34-2007 and No. 79-2007 passed.

Appointments

Council Resolution No. 26-2007 – Recommending to the Governor of Maryland that Mary Kay Sigaty be appointed to the Patuxent River Commission.

The Chairperson moved to adopt Council Resolution No. 26-2007. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson

Council Resolution No. 26-2007 passed.

Council Resolution No. 32-2007 – Confirming the reappointment of John A. Komsa, III to the Howard County Agricultural Land Preservation Board

The Chairperson moved to adopt Council Resolution No. 32-2007. His motion was seconded by Ms. Watson.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 32-2007 as follows: *(This amendment clarifies that Mr. Komsa is being appointed to the Howard County Agricultural Land Preservation Board and not to the State board. This amendment also corrects the name of the Howard County Board.)*

On page 1, strike lines 1 and 2, inclusive and in their entirety.

On page 1, in line 9, strike “the State Agricultural Preservation Advisory Board and”.

On page 1, in line 10 and in line 15, in each instance, after “Preservation” strike “Advisory”.

His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the Amendment was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson
Amendment No. 1 to Council Resolution No. 32-2007 passed.

The roll call vote called by the Chairperson on the resolution as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson
Council Resolution No. 32-2007 passed as amended.

Financial

Supplementary Budget & Appropriation Ordinance No. 7–Fiscal 2007 – Transferring \$790,040 from the General Fund Contingency to the Department of Public Works for unanticipated expenses for snow removal

The Chairperson moved to adopt Supplementary Budget & Appropriation Ordinance No. 7–Fiscal 2007. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the ordinance was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson

Supplementary Budget & Appropriation Ordinance No. 7–Fiscal 2007 passed.

General

Council Bill No. 16-2007 – Introduced by: Greg Fox - Amending the Howard County Code to change the dimensions of signs required to be posted for land use cases and require that the signs have an alphanumeric code which would identify the case

The Chairperson moved to Council Bill No. 16-2007. His motion was seconded by Ms. Watson.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 16-2007 as follows: *(This amendment would add Councilwoman Jennifer Terrasa as a co-sponsor to the bill).*

On the title page, immediately following the sponsorship line, insert “Co-sponsored by: Jennifer Terrasa”.

His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on Amendment No. 1 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson

Amendment No. 1 to Council Bill No. 16-2007 passed.

The Chairperson moved to adopt Amendment No. 2 to Council Bill No. 16-2007 as follows: *(This amendment changes the proposed 6-inch lettering to at least 5-inch lettering.)*
On page 1, in line 30, strike “SIX” and substitute “AT LEAST FIVE”.

His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on Amendment No. 2 was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.
Amendment No. 2 to Council Bill No. 16-2007 passed.

The roll call vote called by the Chairperson on the bill as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson
Council Bill No. 16-2007 passed as amended.

Council Bill No. 17-2007 – To incorporate into the Metropolitan District a parcel of real property owned by Mangione Enterprises of Turf Valley Limited Partnership, located in Marriottsville, Maryland.

Council Bill No. 18-2007 - To incorporate into the Metropolitan District a parcel of real property owned by Nicholas B. Mangione and Mary Mangione, located in Marriottsville, Maryland

Council Bill No. 19-2007 – To incorporate into the Metropolitan District a parcel of real property owned by Nicholas B. Mangione and Mary C. Mangione, located in Marriottsville, Maryland

The Chairperson moved to adopt Council Bill No. 17-2007, Council Bill No. 18-2007 and Council Bill No. 19-2007. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the bills was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson
Council Bill No. 17-2007, Council Bill No. 18-2007 and Council Bill No. 19-2007 passed.

Council Bill No. 15-2007 - Approving, in accordance with Section 612 of the Howard County Charter, a thirty-year lease with renewals of a portion of the property located at 8510 High Ridge Road, Ellicott City, Howard County, Maryland by and between Community Action Council of Howard County Inc. and Howard County, Maryland under the terms of which the County agrees to pay certain maintenance costs associated with the premises, authorizing the County Executive to execute and deliver the lease on behalf of the County, and generally relating to the approval, authorization, execution, and delivery of a multi-year lease of certain premises owned by Howard County to the Community Action Council

Council Resolution No. 42-2007 – Pursuant to Section 4.201 of the Howard County Code declaring that a portion of certain improved real property located at 8510 High Ridge Road, Ellicott City, Howard County, Maryland and owned by Howard County is no longer needed by the County for public purposes; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; authorizing the County Executive to enter into a long-term lease of the property with the Community Action Council of Howard County, Inc.; and providing that the County Executive is not bound to lease the property if he finds that it may have a further public use and submits his finding to the County Council for its consideration

The Chairperson moved to adopt Council Bill No. 15-2007 and Council Resolution No. 42-2007. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the legislation was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson

Council Bill No. 15-2007 and Council Resolution No. 42-2007 passed.

Council Resolution No. 39-2007 – Adopting Howard County’s Annual Action Plan for housing to qualify for the receipt of federal Community Development Block Grant and Home Investment Partnership Program funds

The Chairperson moved to adopt Council Resolution No. 39-2007. His motion was seconded by Ms. Watson.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 39-2007 as follows: *(This amendment substitutes a revised Annual Action Plan. The Annual Action Plan has been amended to:*

- 1. Revise certain dollar amounts as reflected on pages 5, 77, 78, 82, 83, 100, 103 and 104;*
- 2. Correct certain grammatical errors; and*
- 3. Insert the HUD Form 424.)*

Remove the Annual Action Plan Program Year 2007 that was attached to the Resolution as prefiled and substitute the revised Annual Action Plan Program Year 2007 as attached to this amendment.

His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson

Amendment No. 1 to Council Resolution No. 39-2007 passed.

The roll call vote called by the Chairperson on the resolution as amended was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson
Council Resolution No. 39-2007 passed as amended.

Council Resolution No. 35-2007 – Introduced by The Chairman at the Request of Peter Coyne
Authorizing the Director of the Department of Planning and Zoning to grant a one-lot economic hardship Adequate Public Facilities Ordinance exemption for Peter Coyne.

The Chairperson moved to adopt Council Resolution No. 35-2007. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Ball, Fox, Sigaty, and Terrasa; Nay: Council Member Watson

Council Resolution No. 35-2007 passed.

Council Resolution No. 24-2007 – Introduced by: The Chairperson at the request of the Department of Public Works on behalf of the State Highway Administration - To close certain portions of Ivory Road, Pfefferkorn Road, Ten Oaks Road, Burntwoods Road, and East Ivory Road in accordance with Section 18.204 of the Howard County Code

The Chairperson moved to adopt Council Resolution No. 24-2007. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

Council Resolution No. 24-2007 passed.

Council Resolution No. 36-2007 - Pursuant to Section 4.201 of the Howard County Code declaring that .6253 acres of land known as a portion of Riverwood Drive owned by Howard County, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to terminate the property interest, vesting title to the adjacent property owner, 7200 Riverwood LLC, a subsidiary of COPT Development and Construction Services, LLC; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to terminate the property interest if he finds that it may have a further public use and submits his finding to the County Council for its consideration

The Chairperson moved to adopt Council Resolution No. 36-2007. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson

Council Resolution No. 36-2007 passed.

Council Resolution No. 37-2007 – Pursuant to Section 4.201 of the Howard County Code declaring that certain real property located on Tax Map 25 and shown as Parcel 264 containing 1.14 acres owned by Howard County, Maryland and located on Martha Bush Drive in Ellicott City, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to convey the property to Linwood Center, Inc.; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to convey the property if he finds that it may have a further public use and submits his finding to the County Council for its consideration

The Chairperson moved to adopt Council Resolution No. 37-2007. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson

Council Resolution No. 37-2007 passed.

Council Resolution No. 38-2007 – Pursuant to Section 16.301 of the Howard County Code granting a variance from the side primary structure setback at the Bethany Lane Fire Station located at 9601 Route 99, Ellicott City, 21042

The Chairperson moved to adopt Council Resolution No. 38-2007. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson
Council Resolution No. 38-2007 passed.

Council Resolution No. 40-2007 – Approving an amendment to the Howard County Master Plan for Water and Sewerage, consisting of tables and maps incorporating various revisions, including:

1. Revision of the priority designations assigned in the Master Plan to certain private development projects;
 2. Revision of the inventory of shared sewage disposal facilities;
 3. Update of the water and sewer facilities maps to reflect changes in the Metropolitan District; and
 4. Revision of the inventory of wastewater treatment facilities
-

The Chairperson moved to adopt Council Resolution No. 40-2007. His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson
Council Resolution No. 40-2007 passed.

Council Resolution No. 41-2007 – Adopting a comprehensive revision of Volume IV (Standard Specifications and Details for Construction) of the Design Manual in order to revise the standards and specifications relating to the construction of roads and utilities in Howard County

The Chairperson moved to adopt Council Resolution No. 41-2007. His motion was seconded by Ms. Watson.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 41-2007 as follows: *(This amendment substitutes a revised Design Manual Volume IV. Several minor amendments were made to the Design Manual Volume IV after it was prefiled.)*

Remove all the pages from the Design Manual Volume IV (Standard Specifications and Details for Construction) that was attached to the Resolution as prefiled and substitute the revised pages for the Design Manual Volume IV as attached to this amendment. (See attached.)

His motion was seconded by Ms. Watson.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson
Amendment No. 1 to Council Resolution No. 41-2007 passed.

The roll call vote called by the Chairperson on the resolution as amended was: Yea:
Council Members Ball, Fox, Sigaty, Terrasa and Watson
Council Resolution No. 41-2007 passed as amended.

ADJOURNMENT

The Chairperson adjourned the legislative session at 8:15 p.m.